

* * * Generally Run Down and Under Par. Low Vitality. Due to shortage of several vitamins Orange capsules Orange Box Multi"; (Vitamins A & D) "A Sure-Fire Way of Selecting your vitamins * * * Dry Skin? Resistance Low? Due to shortage of vitamins A & D Select the Yellow Capsules * * * Which Vitamins For Your Customers? * * * Low Resistance. Dry Skin. Night Blindness. Due to shortage of vitamins A & D Yellow capsules Yellow Box A & D."

The articles were also alleged to be misbranded under the provisions of law applicable to drugs, as reported in notices of judgment on drugs and devices.

DISPOSITION: April 16, 1945. The Whitehall Pharmacal Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the products were ordered released under bond, conditioned that the display cards be destroyed.

7903. Misbranding of wheat germ. U. S. v. 88 Packages of Wheat Germ. Default decree of condemnation and destruction. (F. D. C. No. 12680. Sample No. 75714-F.)

LIBEL FILED: June 17, 1944, Northern District of Ohio.

ALLEGED SHIPMENT: On or about April 14, 1944, by the Triple Health Food Co., Rochester, N. Y.

PRODUCT: 88 1-pound packages of wheat germ at Warren, Ohio.

Examination showed that the product was essentially wheat germ.

LABEL, IN PART: "Triple Health (Superior) Wheat Germ * * * A Natural Medicinal Food."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statements on the label of the article, "Triple Health A Vitality-Filled Body A Cheerful Mind * * * A Peaceful Spirit The Triple Health System * * * A Natural Medicinal Food * * * Twice as rich in protein as meat. Contains vitamins A, * * * E and G. Rich in organic minerals. Recommended as a physical builder. Nerve and mental tonic. Digestive and eliminative aid. Beneficial in skin conditions, etc. * * * Triple Health Food," were false and misleading since the article was not a medicinal food, would not effect the results suggested and implied, would provide nutritionally inconsequential amounts of vitamins A, E, and G, was not rich in organic minerals, and was not twice as rich in protein as is meat; and, Section 403 (j), the article purported to be and was represented as a food for special dietary uses by man by reason of its vitamin and mineral content, but its label failed to bear, as required by the regulations, (1) a statement of the proportion of the minimum daily requirements of vitamins A, B, and G, and the quantity of vitamin E, supplied by a specified quantity of the article when consumed during a period of 1 day, (2) a statement that "The need for vitamin E in human nutrition has not been established," and (3) a statement of the particular minerals present in the article and the quantities thereof.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1330.

DISPOSITION: August 7, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7904. Misbranding of Zo-Lon. U. S. v. 17 Dozen Packages of Zo-Lon. Default decree of condemnation and destruction. (F. D. C. No. 14425. Sample No. 90096-F.)

LIBEL FILED: November 13, 1944, Southern District of Iowa.

ALLEGED SHIPMENT: On or about September 15, 1944, by the Zo-Lon Co., from Dallas, Tex.

PRODUCT: 17 dozen packages of Zo-Lon at Des Moines, Iowa.

Examination showed that the article consisted of approximately 60 percent of ground Indian Plantago seed (blond psyllium seed), and approximately 40 percent of sugar (sucrose), dextrin, dextrose, and a very small proportion of milk sugar (lactose).

VIOLATION CHARGED: Misbranding, Section 403 (a). The label statement, "A low calory * * * supplement to reducing diets," was misleading as applied to the product, which contained a substantial proportion of carbohydrates and therefore was not a low-calorie food. The label statements, "Aids in satisfying desire for sweets and for excess foods, thus enabling easier following of any accustomed diet," and "If you are cutting down on starchy foods, such as